

# Exhibit B

Michael Thomas Margolis, M.D.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

In Re: Ethicon, Inc. Pelvic Repair  
System Products Liability Litigation  
Master File No. 2:12-MD-02327  
MDL No. 2327

This Document relates to:  
CAROLYN LEWIS, et al.,

Plaintiffs,

-vs-

Case No. 2:12-CV-04301

ETHICON, INC.,

Defendants.

DEPOSITION OF MICHAEL THOMAS MARGOLIS, M.D.

DATE: November 25, 2013  
TIME: 9:20 a.m.  
LOCATION: Pulone Reporting Services, Inc.  
1550 The Alameda  
Suite 150  
San Jose, California 95126  
REPORTED BY: Diane S. Martin, CSR 6464, CCRR

Michael Thomas Margolis, M.D.

<p style="text-align: right;">Page 126</p> <p>1 use for a medical device?</p> <p>2 A. Well, again, other than lecturing to the FDA 3 and lecturing all over the country on the risks 4 associated with slings in particular and meshes, I 5 haven't written it down, but I have lectured all over 6 on it.</p> <p>7 And, of course, I'm familiar with the IFUs as 8 I use them every day in my practice as well as in my 9 teaching, including teaching to residents and fellows 10 and attendings physicians all over the country. So I 11 use them. And I lecture on them regularly.</p> <p>12 Q. I'm sorry, objection. Move to strike. That 13 wasn't my question.</p> <p>14 My question was, have you ever been involved 15 in drafting an IFU?</p> <p>16 A. Well, I'm going to hold to my answer, because 17 that's -- that's the answer.</p> <p>18 Q. I'm not asking -- I know you were involved 19 with the FDA. You were there. You talked to the ag 20 com. I'm familiar with all of that. My question is 21 very straightforward and simple.</p> <p>22 Have you ever been involved in drafting an 23 IFU?</p> <p>24 A. The answer is other than lecturing on it and 25 using it and using it as part of my teaching, no.</p>	<p style="text-align: right;">Page 128</p> <p>1 Q. What about the SIS product for Cook that you 2 used, the porcine pig small bowel, when is the last 3 time you looked at the IFU for that?</p> <p>4 A. Back recently. I mean, that's -- that's a 5 recent study that we were working on. In fact, I 6 was -- I mean I was, you know, intimately involved in 7 the -- in working with the engineers on that product 8 because I was the technical surgeon who was helping 9 them work out their operative protocols on that device 10 that we were trying to develop. We were building a new 11 fistula plug.</p> <p>12 Q. That's not the SIS product for Cook; is it?</p> <p>13 A. Cook has an SIS product for rectovaginal 14 fistulas. We were working on a novel fistula plug for 15 vesicovaginal fistulas. We were working to transpose 16 their RVF plug to a VVF plug.</p> <p>17 Q. The SIS product by Cook, which was the porcine 18 pig small bowel, I thought that was a sling-type 19 material you had used a few times?</p> <p>20 A. Okay. So good question. It's the same 21 material. The sling -- the SIS material, the porcine 22 bowel submucosa can be used in the form of a sheet for 23 hernia and prolapse. It can also be made into a plug, 24 which is used for fistulas. So they use the same 25 material, but in different applications.</p>
<p style="text-align: right;">Page 127</p> <p>1 Q. Move to strike everything before "no."</p> <p>2 When is the last time you looked at a Gortex 3 IFU?</p> <p>4 A. I haven't used -- haven't looked at a Gortex 5 IFU recently. I've been using it for long enough and 6 it hasn't changed.</p> <p>7 Q. When is the last time you looked at an IFU for 8 the Boston Scientific Xenform sling?</p> <p>9 A. Within the last year.</p> <p>10 Q. When is the last time you looked at the 11 Coloplast human cadaveric fascia IFU?</p> <p>12 A. Probably within the last two years.</p> <p>13 Q. When is the last time you looked at the Boston 14 Scientific Repliform IFU?</p> <p>15 A. Last time I used it. Several years ago.</p> <p>16 Q. Would you typically look at an IFU every time 17 you do a procedure?</p> <p>18 A. Any new instrument or material that I use 19 that's new to me or that I'm teaching about, I will 20 utilize the IFU in my analysis and my expertise or my 21 usage of it until, of course, I get to the point like 22 with Gortex where nothing has changed with Gortex for a 23 long time. So I don't use that IFU since nothing has 24 changed. But with newer devices and newer products 25 that I start using and when I teach, I utilize the IFU.</p>	<p style="text-align: right;">Page 129</p> <p>1 Q. What Ethicon products besides Prolene have you 2 used in your career?</p> <p>3 A. Ethicon? I used their trocars. I love their 4 trocars. Some of their instruments are good 5 instruments. Needle drivers and the like. But most of 6 what I use from Ethicon is the trocars or the preferred 7 trocars. I argue with the hospitals to use them.</p> <p>8 Q. Is that the laparoscopic trocars?</p> <p>9 A. The laparoscopic trocars, yeah. I argue. I 10 try to get the hospitals to use them. They like to get 11 the cheaper ones, but the Ethicon are better.</p> <p>12 Q. Besides the TVT and TTVT-O IFUs, have you 13 reviewed other manufacturers' IFUs --</p> <p>14 A. I have.</p> <p>15 Q. -- for polypropylene slings?</p> <p>16 A. I'm sorry. I shouldn't have interrupted you. 17 Yes, I have.</p> <p>18 Q. Which ones?</p> <p>19 A. Every single one of the synthetic slings out 20 there.</p> <p>21 Q. Have you ever been involved -- strike that. 22 Have you ever participated in the drafting of 23 a patient brochure?</p> <p>24 A. A patient brochure?</p> <p>25 Q. And I'm going to cast a broad net. I mean for</p>